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In their third interim report, the Trustees of Columbia University responded to a proposal on the participation of faculty and students in the governance of the University on the University-wide level. Specifically, they adopted an Executive Committee resolution to establish a representative University Senate. The resolution had earlier been overwhelmingly approved by a vote of almost 447 of the faculty and students. The Special Committee recommended that the Deans of Columbia College and Graduate Faculties be included in the Senate membership and clarified the role of the Trustees. Accompanying the report are the Statutes of the University related to the establishment of the new Senate. The Statutes contain provisions on the election, eligibility, recall and terms of office of faculty, students, administrators, and other representatives, and on the responsibilities and powers of the Senate. (JS)

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SPECIAL COMMITTEE OF THE TRUSTEES

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May 12, 1969

THIRD INTERIM REPORT

To the Trustees of Columbia University:

The Special Committee of the Trustees has concluded its study of the participation of faculty and students in the governance of the University at the University-wide level. The Committee early realized that the establishment of a representative University Senate in succession to the University Council and the Advisory Committee of the Faculties was of paramount importance to the University community. For several months past, our deliberations have been devoted largely to this area.

The Trustees, at their May 1, 1968 meeting, requested the newly designated Executive Committee of the Faculty to study and recommend changes in the basic structure of the University and to consult with the Special Committee of the Trustees. Since the Executive Committee has devoted a major portion of its efforts from that time specifically to the area of faculty and student participation in a representative University-wide body, the Special Committee believed the Executive Committee's various proposals provided the most useful framework for its own study. The Special Committee

U.S. DEPARTMENT OF HEALTH, EDUCATION & WELFARE
OFFICE OF EDUCATION

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or representatives thereof have met with the Executive Committee or its representatives a number of times for discussion of our respective views. In its Second Interim Report dated March 17, 1969, this Committee stated in broad outline principles which it believed should guide the formation of a University-wide Senate.

The Trustees on April 10, 1969 received from the Executive Committee a "Proposal for a University Senate" which reflected in some respects the opinions of the Special Committee. The letter of transmittal accompanying the Proposal recited that, by a vote of almost 44% of the faculty and students, the Proposal was approved by a majority of approximately nine to one.

It remained the duty of the Special Committee to evaluate the Proposal independently. This task has not been an easy one, because of the very important matters of substance and language involved. Appropriate resolutions amending the By-Laws and Statutes to implement this Committee's recommendation are submitted with this report and recommended for adoption.

The Committee reaffirms its belief that the establishment of the Senate is an innovative step which may prove of great benefit to the University and which holds promise of realizing the purposes expressed in our Second Interim Report as follows: "The main objective must be to establish a body through which the resources and wisdom of the University may be drawn upon, the current opinion of the University community may be expressed, communication improved, and innovative ideas brought to bear on University problems." While the Committee recognizes that the Senate must be regarded as experimental in some respects, it believes that it is important that this step be taken. The Senate must pass

the test of practical experience and be subject to change as need for change is indicated.

There is no perfect structure for participation of faculty and students in the governance of the University at a University-wide level. Columbia University, although an educational corporation, cannot necessarily be governed by precise legal relationships that govern corporations. The operation of any University is perhaps more analogous to a parliamentary form of government dependent upon the consent of the governed. Precisely honed By-Laws and Statutes delineating the respective functions of Trustees, administration, faculty and students are only a means to an end and not the end itself. The end must be that the governance of the University shall promote unity and cooperation and be effective. To maximize its effectiveness, the government must be acceptable to faculty and students, as well as to administration and Trustees. The Committee does not minimize the importance of clear and unambiguous Statutes and By-Laws. However, the test of the efficacy of a University-wide body is not in the language enacting it, but in its operation.

The organizational structure of the Senate is a unicameral body whose membership is composed of representatives from administration, tenured and non-tenured faculty, students, affiliated institutions, professional library staff, research staff, mid-level administrative staff and alumni. The exact mix of this composition could be debated endlessly. In this area, the Committee has relied almost entirely on the Executive Committee's Proposal, which campus opinion has approved.

The membership of the Senate under the revised Statutes as submitted will include the Deans of Columbia College and the Graduate Faculties ex-officio. These memberships were not provided for in the Proposal, but the covering letter from the Executive Committee transmitting the Proposal to the Trustees makes provision for membership of two Deans, for which we recommend the above two. The Special Committee believes that Deans, by reason of their central relationship to students, faculty and administration, are uniquely and extraordinarily equipped to serve as valuable members of the Senate. The Committee expects that other Deans will become members through Presidential appointment, and perhaps through Faculty elections. We have not insisted, however, upon adding fourteen memberships to the Senate body of 101 because we have accepted the opinion that a larger body would be even more unwieldy and the door would be opened to demands for greater representation from other constituencies of the University.

The Special Committee has departed from the Proposal's provision for the election by at-large mail ballot of representatives from the alumni to the University Senate and provided that the alumni members of the Senate shall be chosen in the manner prescribed by Chapter XIV of the By-Laws of the Trustees with respect to Alumni Trustees, except that the requirement that the nominees shall have held a degree from the University for ten years has been removed. The Committee believes that the great expense which would be incurred in taking such a mail ballot would not be justified.

The Committee has grappled with the issue of the powers of the University Senate. We agree that the Senate should have a strong voice in determining and influencing policies of the University. The formula proposed

by the Committee to implement the role of the Senate is recited in the proposed resolutions. First, the broad and substantial authority of the former University Council in the academic field is transferred to the Senate. We have deleted the phrase "in its advisory capacity" from Section 22 because it is redundant in view of the operative language of the subsections. Secondly, new Section 23 of the University Statutes embraces the role of the Senate in all matters of University-wide concern, all matters affecting more than one Faculty or School and all matters pertaining to the implementation and execution of agreements with other educational institutions. Actions by the Senate in matters involving a change in budgetary appropriations, in the acquisition or disposition of real property, in matters affecting contractual obligations of the University and in all matters required by law must have the specific concurrence of the Trustees to become effective. All other actions may require the concurrence of the Trustees at the discretion of the President.

The advantages of this formula are that the reserved powers of the Trustees remain inviolate, while the Senate becomes responsible for its own actions. The Presidential veto formerly applicable to acts of the University Council, unless overruled by a two-thirds vote, was eliminated because it has no place in the operative procedures now established for the Senate. We have been advised by University Counsel that the proposed resolutions herewith submitted would not impair the ability of the Trustees to carry out their legal and fiduciary responsibilities under the University's Charter.

The Special Committee has changed the time within which the Trustees are to act from a period of forty-five days to not later than their second stated meeting following submission of the Senate's action. This change does not arise

from any difference of opinion as to the basic provision, but from the fact that the stated forty-five days would not necessarily cover a two-meeting period. The Trustees' privilege to advise the Senate of their need for more time to consider such acts has been retained from the Executive Committee Proposal.

Among the more innovative activities of the new Senate will be its participation in the nomination of persons to fill six Trusteeships and the offices of President and Vice President and Dean of Faculties. The Trustees Nominating Committee, the Trustees themselves (directly or through an ad hoc presidential search committee) and the President, respectively, will work with the Executive Committee of the Senate in nominating six specified Trustees, a new President, and a new Vice President and Dean of Faculties. "Work with" means, in this context, that the two parties will confer together in the selection process, exchange suggestions and comments as to possible nominees and their qualifications and endeavor through consultation to resolve any differences in viewpoint, all to the desired end that a common endorsement of the ultimate nominee for the post may result.

We believe that the standing committees of the Senate are an operational structure to be established and revised by the Senate. In our Second Interim Report, we stated that "These matters can best be dealt with in the By-Laws, consonant with the Charter and Statutes of the University, which the Senate should adopt once it is established." The Executive Committee requested that the Trustees assist the Senate in its initial establishment. Provisions for procedure and an elaborate committee structure, appropriate for By-Laws, were contained in the Proposal which was voted upon and approved. Recognizing the innovative character of the Senate, this Committee has recommended that the

Trustees authorize the Executive Committee, as authors of the Proposal, to promulgate the initial By-Laws of the Senate. We have also accepted the suggestion of the Executive Committee and have recommended to the Trustees that amendments to the By-Laws of the Senate should require a three-fifths vote of the entire membership.

The Committee recommends that the Trustees adopt the proposed resolutions amending the By-Laws of the Trustees and the Statutes of the University to establish a University Senate, to the end that this newly constituted body, with a broad spectrum of membership and an altered mandate, will be better able to serve the purposes of this University.

Respectfully submitted,

Charles F. Luce
Maurice T. Moore
William E. Petersen
Robert D. Lilley, Co-Chairman
Alan H. Temple, Co-Chairman

Mr. Harold F. McGuire and Mr. Lawrence A. Wien, also members of the Committee, approved the establishment of a University Senate in principle but dissented on specific matters and therefore have not signed the report.

STATUTES

CHAPTER II

THE UNIVERSITY SENATE

§20. MEMBERSHIP. The University Senate shall be a unicameral body whose membership shall be composed of representatives from the following categories:

(a) Administration Members:

- (1) The President
- (2) The Vice President and Dean of Faculties
- (3) The Dean of the Faculties of Political Science, Philosophy and Pure Science
- (4) The Dean of Columbia College
- (5) Five members who shall be appointed by the President from among officers of administration who are part of the central administration and administrators of Faculties

(b) Faculty Members:

- (1) Forty-two officers of instruction having an appointment without stated term as professor or associate professor as defined in Sections 60 and 61 to be elected from and by such officers of instruction, subject to the provisions of Section 21.
- (2) Fifteen officers of instruction having an appointment for a stated term as defined in Sections 60 and 61 to be elected from and by such officers of instruction, subject to the provisions of Section 21.

(c) Student Members:

Twenty-one students as defined in Section 351 to be elected from and by such students as provided in Section 21.

(d) Affiliated Institution Members:

- (1) Subject to renegotiation of the existing affiliation agreement with Barnard College, two representatives of the Faculty of Barnard College.

- (2) Subject to renegotiation of the existing affiliation agreement with Teachers College, two representatives of the Faculty of Teachers College.
- (3) Subject to renegotiation of the existing affiliation agreement with the College of Pharmaceutical Sciences, one representative of the Faculty of the College of Pharmaceutical Sciences.
- (4) Subject to renegotiation of the existing affiliation agreement with the Union Theological Seminary, one representative of the Faculty of the Union Theological Seminary.

(e) Professional Library Staff Members:

Two members who shall be elected from and by those persons holding a full-time Trustee or Presidential appointment to the professional library service.

(f) Research Members:

Two members who shall be elected from and by those persons designated as senior research associate and research associate, as defined in Section 61 of these Statutes, and who are not entitled to vote as officers of instruction.

(g) Administrative Staff Members:

Two members who shall be elected from and by those persons having an appointment from the President or the Secretary of the University and who are not entitled to vote in any other category for members of the Senate.

(h) Alumni Members:

Two alumni members who shall be chosen by the Alumni Trustee Nominating Committee in accordance with the procedures of Chapter XIV of the By-Laws of the Trustees; provided, however, that the requirement that the nominees shall have held a degree from the University for ten years shall not apply.

§21. ELECTIONS, ELIGIBILITY, RECALL AND TERM OF OFFICE:

(a) Election of Faculty Members

- (1) The forty-two memberships for officers of instruction having an appointment without stated term as professor or associate professor as defined in Sections 60 or 61 shall be apportioned by the University Senate biennially

among the Faculties of the Columbia Corporation in proportion to their number of such officers of instruction; provided, however, that each such Faculty shall be entitled to elect at least one member; no such Faculty shall elect more than five members; the Faculty of International Affairs shall elect only one member; and the Faculties of Political Science, Philosophy and Pure Science may elect to pool their respective number of memberships and apportion them among the several departments within such Faculties in such manner as such Faculties shall jointly determine.

- (2) The fifteen memberships for officers of instruction with stated term shall be apportioned by the University Senate biennially to the extent possible among those Faculties of the Columbia Corporation which have at least twenty-five such officers of instruction; provided, however, that one such membership shall rotate every two years, in alphabetical order, among the Faculties having fewer than twenty-five such officers of instruction. The basis for apportionment of membership shall be determined by counting all such officers of instruction having an appointment as preceptor, associate, lecturer, instructor and assistant professor, regardless of whether all such officers are full-time or part-time. All such officers of instruction shall be entitled to vote, however, whether or not they are counted as part of the basis for apportionment. Officers of instruction having an appointment with a stated term above that of assistant professor shall be entitled to vote in this category unless their Faculty shall have extended to them the right to vote in elections for members to be elected under sub-section (1) hereof. Any Faculty having fewer than twenty-five such officers of instruction may extend to such officers of instruction the right to vote for members to be elected under sub-section (1) hereof.

(b) Election of Student Members:

The twenty-one memberships for students shall be apportioned by the University Senate biennially among the Faculties of the Columbia Corporation; provided, however, that at least one student member shall be elected from each Faculty; two additional student members shall be elected from the Faculty with the largest number of full-time students; and one additional student member shall be elected from each of the three Faculties with the next largest number of students.

(c) Election of Members from Professional Library Staff,
Research Staff and Administrative Staff:

Two members shall be elected from and by the research staff, library staff and administrative staff.

(d) Representatives from Affiliated Institutions:

Each of the affiliated institutions shall choose representatives from among their respective Faculties to serve as members in such manner as each of them may determine.

(e) Direct and Indirect Elections:

All members elected under sub-paragraphs (a), (b) and (c) shall be chosen by direct election, except that student members may be chosen by indirect election as hereinafter provided. If the indirect election method is chosen, then the student member of the University Senate shall be elected by the elected student governing body of the Faculty from which the student member of the University Senate is being chosen. Such choice shall be exercised only by a referendum of the students within such Faculty and shall stand unless and until reversed by a succeeding referendum. The 40% minimum voting requirement of sub-paragraph (f) shall apply to all such referenda.

(f) Minimum Voting Requirements:

For a person to be validly elected to membership in the University Senate pursuant to the provisions of sub-paragraphs (a), (b) and (c) hereof, a minimum of 40% of the eligible voters in the electing category must have voted by direct election. If the indirect option has been chosen, then the 40% minimum voting requirement shall apply to the election of the student governing body of each Faculty in which the students have chosen the indirect election option. The application of the 40% minimum voting requirement in each category shall be in accordance with the By-Laws of the University Senate. If the 40% voting requirement is not satisfied within two succeeding elections, a vacancy shall exist until the next regularly scheduled election.

(g) Time of Election and Term of Office:

Initial regular elections shall be held not later than May 31 of every other year. The regular term of office of each member shall begin on the first day of July next succeeding his election or appointment and shall be for two years. Except as provided

in sub-paragraph (f), any vacancy occurring during the term of office of a member shall be filled for the remainder of the unexpired term in the same manner in which the original member was chosen. No person shall be disqualified from election because he will be a member of the category from which he is elected for less than two years. However, his membership shall terminate when he is no longer a member of the category from which he was elected.

(h) Recall:

Every elected member shall be subject to recall. Upon petition signed by one-fourth of the number of members of the category from which the member was elected, a recall election shall be held. A majority of votes cast for recall shall cause the recall of the member and his membership shall thereupon become vacant. The provisions of sub-paragraph (f) shall also apply to recall elections.

§22. DUTIES. It shall be the duty of the University Senate:

- (a) To report to the Trustees its opinion as to any exercise of power proposed by a Faculty under Section 35.
- (b) To submit such proposals to the Trustees or to the President or to the several Faculties as in its judgment may serve to increase the efficiency of University work.
- (c) To consider any question that may arise as to the conduct or efficiency of any officer of administration or instruction, and to report thereon to the Trustees through the President.

§23. GENERAL POLICIES. Subject to the reserve power of the Trustees and the provisions of Section 25, the Senate shall be a policy-making body which may consider all matters of University-wide concern, all matters affecting more than one Faculty or School, and all matters pertaining to the implementation and execution of agreements with the other educational institutions that are now or may hereafter become affiliated with the University. Without limitation by enumeration the Senate shall:

- (a) Develop and review plans and policies to strengthen the educational system of the University.
- (b) Work on the long-range master plan for the physical development of the University; recommend ways in which it can be improved; and keep the same under continuing review.
- (c) Work for the advancement of academic freedom and the protection of faculty interests.
- (d) Work for the promotion of student welfare and the enhancement of student life.
- (e) Initiate and review policies to govern the University's relations with outside agencies for research, instruction and related purposes.

- (f) Foster policies for cooperative and mutually beneficial relations with the neighboring community.
- (g) Review by broad categories the annual budget of the University after its adoption and advise the Trustees as to its general conformity with the goals of the University.
- (h) Consider and recommend policies relating to the awarding of University prizes and honors, and assist the Trustees in the selection of recipients of such prizes and honors.
- (i) Promulgate a code of conduct for faculty, students and staff and provide for its enforcement.
- (j) Initiate proposed changes in Chapter II of these Statutes which have been passed by a vote of at least three-fifths of all members of the University Senate.

§24. POWERS. The University Senate, subject to the reserved power of the Trustees and the provisions of Section 25, shall have power, and it shall be its duty:

- (a) Academic Correlation. To secure the correlation of courses offered by the several Faculties and Administrative Boards; to adjust all questions involving more than one Faculty or Administrative Board.
- (b) Degrees. To prescribe, by concurrent action with the appropriate Faculty or Administrative Board, the conditions upon which the following degrees shall be conferred, and to recommend candidates for such degrees:

Doctor of Philosophy (Ph.D.)

Doctor of the Science of Law (J.S.D.)

Doctor of Medical Science (Med.Sc.D.)

Doctor of Public Health (Dr.P.H.)

Doctor of Education (Ed.D.)

Doctor of Engineering Science (Eng.Sc.D.)

Doctor of Social Welfare (D.S.W.)

Doctor of Library Science (D.L.S.)

Master of Arts (A.M.)

Master of Science (M.S.)

Master of Business Administration (M.B.A.)

Master of International Affairs (M.I.A.)

Master of Laws (LL.M.)

Master of Public Health (M.P.H.)

Master of Fine Arts (M.F.A.)

Master of Comparative Law (M.C.L.)

Master of Education (Ed.M.)

Bachelor of Science (B.S.)

Master of Arts in Teaching (M.A.T.)

Doctor of Musical Arts (D.M.A.)

Doctor of Pharmacy (Phar.D.)

Faculties of Political Science, Philosophy,
and Pure Science

Faculty of Law

Faculty of Medicine

Faculty of Medicine

Faculty of Teachers College

Faculty of Engineering and Applied Science

Faculty of Social Work

Faculty of Library Service

Faculties of Political Science, Philosophy,

Pure Science, Teachers College, and

Union Theological Seminary

Faculties of Medicine, Engineering and

Applied Science, Teachers College,

Architecture, Journalism, Library

Service, Pharmacy, Dental and Oral

Surgery, and Social Work, and Business

Faculty of Business

Faculty of International Affairs

Faculty of Law

Faculty of Medicine

Faculty of The Arts

Faculty of Law

Faculty of Teachers College

Faculties of Teachers College and

Pharmaceutical Sciences

Faculty of Teachers College

Faculty of the Arts

Faculty of Pharmaceutical Sciences

- (c) Certificates. To prescribe the conditions upon which the following certificates, and such other certificates as the Council may from time to time approve, shall be awarded upon recommendation of the several Faculties, Administrative Boards, or Committees:

* Provides for change in initials of Doctor of Musical Arts from A.Mus.D. to D.M.A.

Certificate in Dentistry	Faculty of Dental and Oral Surgery
Certificate in Occupational Therapy	Faculty of Medicine
Certificate in Physical Therapy	Faculty of Medicine
Certificate in Psychoanalytic Training	Faculty of Medicine
Certificate in Maternity Nursing	Faculty of Medicine
Certificate in Applied Pharmaceutical Sciences	Faculty of Pharmaceutical Sciences
Professional Certificate in Social Work	Faculty of Social Work
Certificate of East Asian Institute	Administrative Committee, East Asian Institute
Certificate of European Institute	Administrative Committee, European Institute
Certificate of Russian Institute	Administrative Committee, Russian Institute
Certificate of Middle East Institute	Administrative Committee, Middle East Institute
Certificate of Program of East Central European Studies	Coordinating Committee, Program of East Central European Studies
Certificate in Accounting	Faculty of General Studies
Certificate in Advanced International Reporting	Faculty of Journalism
Certificate in Advanced Science Writing Program	Faculty of Journalism
Teachers College Professional Diploma	Faculty of Teachers College

- (d) College Courses. to prescribe, by concurrent action with the Faculties of Columbia College, Barnard College and General Studies, severally, the extent to which courses offered by other Faculties and leading to graduate or professional degrees or diplomas shall be included in the programs of studies under those Faculties, and the conditions upon which such courses may be elected by candidates for a nonprofessional first degree.
- (e) Barnard College. To prescribe the manner in which the degree of Bachelor of Arts conferred upon graduates of Barnard College shall be maintained at all times as a degree of equal value with the degree of Bachelor of Arts conferred upon the graduates of Columbia College.
- (f) Other Institutions. To adopt regulations, subject to approval by the Trustees, providing for the proper execution, as regards educational matters, of agreements that are now in existence or that may hereafter be made between the University and such other educational institutions as are now or may hereafter become affiliated with the University, and to prescribe what degrees, diplomas, and certificates may be granted by said institutions and the conditions for granting the same.

- (g) Summer Session. To adopt regulations governing the relation of instruction in the Summer Session to the other work of the University.
- (h) Fellowships and Scholarships. To determine the conditions upon which fellowships and university scholarships shall be awarded, to appoint all fellows and university scholars, and to make rules for their government, subject to such restrictions as may be prescribed by the Statutes or by the terms upon which the several fellowships and university scholarships are established.
- (i) Academic Calendar. To fix, annually in advance the Academic Calendar, the dates for entrance and final examinations, the date of Commencement, and the order of Commencement exercises.
- (j) Research Bureaus. To encourage original research; to authorize the establishment of research bureaus, to be conducted by a Faculty or by one or more departments under such terms as the Council may prescribe.
- (k) Libraries. To advise in such matters pertaining to the administration of the Libraries as may be laid before it by the Vice President of the University or by the Director of Libraries.

§25. LIMITATIONS OF POWERS.

- (a) Unless Trustee concurrence is required, acts of the University Senate under Sections 22 and 23 shall become final on passage. In all matters involving a change in budgetary appropriations; involving the acquisition or disposition of real property; affecting contractual obligations of the University; or as required by law, such concurrence shall be required. In all other matters, the action of the University Senate will be final unless the President shall advise the Senate not later than its next regularly scheduled meeting that Trustee concurrence is necessary. Acts of the University Senate under Sections 22 and 23 shall be concurred in or not concurred in by the Trustees by the second stated meeting of the Trustees following the submission of the University Senate's action to the Trustees, except when the Trustees shall advise the University Senate of their need for a longer specified period of time to consider such actions. Whenever the Trustees do not concur in an act of the University Senate under Sections 22 and 23, they shall return the measure to the Senate with an explanation of the reason for their action.
- (b) No exercise of the powers conferred on the University Senate by Section 24 which involves a change in the educational policy of the University in respect to the requirements of admission or the conditions of graduation shall take effect until the same shall have been submitted to the Trustees at one meeting and another meeting of the Trustees shall have been held.

- (c) Notwithstanding the provisions of sub-sections (a) and (b), the President may convene a special meeting of the University Senate within 15 class days of any University Senate action, and may request it to reconsider such action.

§26. BY-LAWS AND COMMITTEES. The University Senate shall have the power to organize itself and to make all such By-Laws and regulations for its own proceedings as shall not contravene the Charter of the University or these Statutes. Such By-Laws shall be amended only by a three-fifths vote of all members of the University Senate. Any such By-Laws and regulations may provide for such committees as may be necessary or desirable. Such committees shall include an Executive Committee. The Committee on Nominations of the Trustees shall work with the Executive Committee of the University Senate in the nomination of six Trustees as provided in the By-Laws of the Trustees. The Trustees shall work with the Executive Committee of the University Senate in the selection of a President of the University as provided in the By-Laws of the Trustees. The President shall work with the Executive Committee of the University Senate in the selection of a Vice President and Dean of Faculties as provided in these Statutes. The Executive Committee of the University Senate shall participate in the appointment of University professors as provided in Section 61.

§27. MEETINGS. The University Senate shall meet regularly as provided in its By-Laws. Special meetings shall be held on the call of the President and in accordance with its By-Laws. The President shall be the presiding officer of the University Senate. In the absence of the President, the Chairman of the Executive Committee of the University Senate shall preside.

§28. STAFF. The University shall furnish, to the extent provided for in the University's budget, assistance to the University Senate as a whole and to its committees in connection with its official business, as may be authorized by the Executive Committee of the University Senate.